

1-1 By: Williams S.B. No. 1237
1-2 (In the Senate - Filed March 7, 2011; March 16, 2011, read
1-3 first time and referred to Committee on Transportation and Homeland
1-4 Security; April 28, 2011, reported favorably by the following
1-5 vote: Yeas 8, Nays 0; April 28, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to persons authorized to access or use electronically
1-9 readable information derived from a driver's license, commercial
1-10 driver's license, or personal identification certificate.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subsection (d), Section 521.126, Transportation
1-13 Code, is amended to read as follows:

1-14 (d) The prohibition provided by Subsection (b) does not
1-15 apply to a person who accesses, uses, compiles, or maintains a
1-16 database of the information for a law enforcement or governmental
1-17 purpose, including:

1-18 (1) an officer or employee of the department carrying
1-19 out law enforcement or government purposes;

1-20 (2) a peace officer, as defined by Article 2.12, Code
1-21 of Criminal Procedure, acting in the officer's official capacity;

1-22 (3) a license deputy, as defined by Section 12.702,
1-23 Parks and Wildlife Code, issuing a license, stamp, tag, permit, or
1-24 other similar item through use of a point-of-sale system under
1-25 Section 12.703, Parks and Wildlife Code;

1-26 (4) a person acting as authorized by Section 109.61,
1-27 Alcoholic Beverage Code;

1-28 (5) a person establishing the identity of a voter
1-29 under Chapter 63, Election Code;

1-30 (6) a person acting as authorized by Section 161.0825,
1-31 Health and Safety Code; ~~or~~

1-32 (7) a person screening an individual who will work
1-33 with or have access to children if the person is an employee or an
1-34 agent of an employee of a public school district or an organization
1-35 exempt from federal income tax under Section 501(c)(3), Internal
1-36 Revenue Code of 1986, as amended, that sponsors a program for youth;
1-37 or

1-38 (8) a person who possesses a certificate issued by the
1-39 department under Section 724.016 or who is otherwise authorized to
1-40 take or analyze a breath specimen under Chapter 724 or other law.

1-41 SECTION 2. This Act takes effect immediately if it receives
1-42 a vote of two-thirds of all the members elected to each house, as
1-43 provided by Section 39, Article III, Texas Constitution. If this
1-44 Act does not receive the vote necessary for immediate effect, this
1-45 Act takes effect September 1, 2011.

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